

Atty Kruthers, Heather H (for Public Guardian – Conservator of the Estate –Petitioner)

Atty LaRochelle, Elizabeth (Pro Per – Spouse – Conservator of the Person)

Atty Rindlisbacher, Curtis D. (for the Conservatee)

(1) Seventh and Final Account and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) Termination of Conservatorship and (4) Distribution

Age: 52		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 07/27/1959			
		Account period: 11/01/2010-06/08/2012	1. Disbursement schedule shows disbursement to dentist for Michelle, Melinda, and Cathryn on 08/31/2011 in the amount of \$5,250.00. Court may require clarification as to why conservatorship should be paying these expenses. 2. Disbursement schedule shows several medical disbursements for Melinda in the amount of \$9,48.81. Court may require clarification as to why conservatorship should be paying these expenses. 3. Disbursement schedule shows medical disbursements for Cathryn LaRochelle in the amount of \$7,44.56. Court may require clarification as to why conservatorship should be paying these expenses. 4. Disbursement schedule shows several disbursement to Elizabeth LaRochelle for car payment, car insurance, pet expenses, auto loan and life insurance in the amount of \$2,092.78. Court may require clarification as there is no car listed in the POH. Please see additional page
		Accounting - \$276,900.73	
Cont. from		Beginning POH - \$114,457.42	
<input type="checkbox"/>	Aff.Sub.Wit.	Ending POH - \$150,058.38	
<input checked="" type="checkbox"/>	Verified	Conservator - \$3,624.60 (8.85 Staff hours @ \$76/hr and 30.75 Deputy hours @ \$96/hr)	
<input type="checkbox"/>	Inventory	Attorney - \$1,875.00 (per Local Rule)	
<input type="checkbox"/>	PTC	Bond fee - \$949.50 (o.k.)	
<input type="checkbox"/>	Not.Cred.	Petitioner received a letter dated May 8, 2012 from the Department of Veteran Affairs stating that the VA has certified a new Federal Fiduciary, and that petitioner must turn the conservatee's funds over to that fiduciary, Sierra Fiduciary Services. Therefore, the conservatorship of the estate of the conservatee is no longer required.	
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner prays for an Order:	
<input checked="" type="checkbox"/>	Aff.Mail w/	1. Approving, allowing and settling the seventh and final account.	
<input type="checkbox"/>	Aff.Pub.	2. Authorizing the conservator and attorney fees and commissions.	
<input type="checkbox"/>	Sp.Ntc.	3. Payment of the bond fee.	
<input type="checkbox"/>	Pers.Serv.	4. Distribution of the remaining cash in the amount of \$140,711.81 shall be made to Sierra Fiduciary and the personal property valued at \$2,502.47 to the conservatee.	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT / LV
			Reviewed on: 08/14/2012
			Updates:
			Recommendation:
			File 1 - LaRochelle

Court Investigator Julie Negrete's report filed 08/09/2012.

NEEDS/PROBLEMS/COMMENTS continued:

5. Disbursement schedule shows disbursement for gifts during this account period totaling \$2,950 for Christmas, birthdays and anniversaries. Court may require clarification pursuant to Cal.Rules of Court, Rule 7.1059(b)(3) the conservator of the estate must refrain from making loans or gifts of estate property, except as authorized by the court after full disclosure.
6. Court hearing held on 02/08/2012 in Family Law case #0603990 sets Spousal Support at \$0 commencing 02/08/2012 however there is a disbursement for Spousal Support in the amount of \$450 on 01/27/2012 and 02/23/2012 for the months of February 2012 and March 2012. The Family Law case was later dismissed on 02/16/2012. The Court may require clarification.
7. Disbursement schedule shows disbursements for credit cards in the amount of \$16,293.30. Are these credit cards that the conservatee is continuing to use? Need clarification as charge card expense does not comply with Probate Code §1062(b). There is no way for the Court to determine what these charges were for and whether they were appropriate expenditures for the conservatee.
8. Disbursement schedule shows disbursements for mortgage payment in the amounts of \$4,669.00 however real property is not listed in POH. The Court may require clarification.

(1) First and Final Account and Report of Special Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

DOD: 1-1-2000		PUBLIC ADMINISTRATOR , Special Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner requests payment of the entire amount of the statutory fees to Public Administrator and County Counsel; however, Examiner notes that the former Administrator and former attorney may be entitled to a portion of the fees. The Court may require clarification and/or notice to Attorney John Barrus. 2. Heirs David Polin and Anthony Polin, Sr., previously filed Assignments of Interest for a portion of their shares (\$1,000.00 each) to "Ken and Albeza Kemmerrer." This petition does not appear to reference these assignments. Need clarification or withdrawals of the assignments. 3. Need Order.
		Account period: 3-27-12 through 6-6-12	
	Aff.Sub.Wit.	Accounting: \$50,100.00	
✓	Verified	Beginning POH: \$45,000.00	
✓	Inventory	Ending POH: \$45,963.69 (cash)	
✓	PTC		
✓	Not.Cred.	Public Administrator (Statutory): \$2,004.00	
✓	Notice of Hrg		
✓	Aff.Mail	w Public Administrator (Extraordinary): \$1,248.00 (for sale of real property per Local rule and preparation of tax returns (1 Deputy hour @ \$96/hr and 2 Staff hours @ \$76/hr)	
	Aff.Pub.	Attorney (Statutory): \$2,004.00	
	Sp.Ntc.	Bond fee: \$31.31 (ok)	
	Pers.Serv.	Costs: \$446.00 (filing, certified copies)	
	Conf. Screen	Distribution pursuant to intestate succession:	
	Letters	Arthur Polin, Jr.: \$6,705.07	
	Duties/Supp	Anthony Polin, Sr.: \$6,705.07	
	Objections	David G. Polin: \$6,705.06	
	Video Receipt	Beatrice Valdez: \$6,705.06	
	CI Report	Josephine Bourbon: \$6,705.06	
✓	9202	Anthony Aldama: \$6,705.06	
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

Reviewed by: skc
Reviewed on: 8-13-12
Updates:
Recommendation:
File 2 - Polin

Atty Kruthers, Heather (for Public Guardian – Conservator)

Atty Bagdasarian, Gary (Court-appointed for Conservatee)

Petition for Exclusive Authority to Give Consent for Medical Treatment

Age: 93		PUBLIC GUARDIAN is Petitioner. Petitioner was appointed Conservator of the Person and Estate <u>with medical consent powers and dementia medication powers</u> on 3-10-09.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 8-1-12</u> Minute Order 8-16-12: The Court appoints Mr. Bagdasarian as counsel for Ms. Booth.
DOB: 1-4-19			
Cont. from 080112			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner states that at appointment in 2009, Ms. Booth had broken her hip and it was believed that she would not be a flight risk. However, she recently eloped from the facility in a wheelchair. At this time, Petitioner requests dementia <u>placement powers</u> pursuant to the 2-2-09 Capacity Declaration. Petitioner states Ms. Booth needs or would benefit from restricted placement and dementia medication. A Capacity Declaration was filed 2-2-09. Court Investigator Dina Calvillo filed a report on 4-2-12.	
<input checked="" type="checkbox"/>	Aff.Mail w		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv. w		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report	Reviewed by: skc Reviewed on: 8-10-12 Updates: Recommendation: File 3 - Booth	
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Age: 83	LOUIS MCPHEDERAIN , Grandson and Conservator of the Person and Estate with bond of \$42,000.00 (remainder blocked), is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Bond is sufficient.	
	Account period: 2-17-11 through 2-16-12	
Aff.Sub.Wit.	Accounting: \$564,116.70	
✓ Verified	Beginning POH: \$549,769.82	
Inventory	Ending POH: \$527,811.01	
PTC	(\$484,061.01 cash plus personal property items including furniture and 12 vehicles)	
Not.Cred.	Conservator: In lieu of fees, Petitioner requests that the Court approve payment of Petitioner's health insurance premiums because he is not employed elsewhere and cannot afford such coverage. Expenses totaled \$1,738.20 during this account period.	
✓ Notice of Hrg	Attorney: \$7,023.00 (43.30 hours including attorney hours @ \$280/hr and paralegal hours @ \$85/hr and \$120/hr for legal services including review of documents, conference with counsel for Conservatee, attendance at hearings, marshal/inventory of assets, obtaining bond, and work associated with this accounting)	
✓ Aff.Mail	Costs: \$435.00 (filing)	
Aff.Pub.	Petitioner prays for an Order:	
Sp.Ntc.	1. Settling and allowing the account, and approving and confirming the acts of Petitioner during the account period;	
Pers.Serv.	2. Authorizing the attorney fees to be paid from the blocked account;	
Conf. Screen	3. Authorizing Petitioner to continue paying for Petitioner's medical and dental insurance costs from the conservatorship estate; and	
Letters	4. For such other orders as the Court may deem proper.	
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
✓ 2620(c)		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: skc
Reviewed on: 8-10-12
Updates:
Recommendation:
File 4 - Dix

Atty Walters, Jennifer L. (For Gary Gonzales – Son – Administrator with Will Annexed – Petitioner)
 (1) First and Final Account and Report of Administrator and Petition for Its Settlement, and (2) Petition for Final Distribution, (3) for Allowance of Compensation to Attorneys for Ordinary Services (Prob. C. 10800, 10810, 10954, and 11660)

DOD: 2-27-11		GARY GONZALES , Son and Administrator with Will Annexed with Limited IAEA without bond, is Petitioner. Need waivers of accounting I&A: \$168,113.31 POH: \$168,113.31 (\$28,113.31 cash plus real property) Administrator: Waived Attorney (Statutory): \$6,043.40 Costs: \$885.00 (filing, publication, probate referee) Distribution pursuant to intestate succession and assignments of interest: Rosemarie Ann Knight, Gregory Gonzales, Gary Gonzales, and Paul Dwayne Gonzales: 25% interest each in real property and residue of estate Michael A. Brooks, Thomas L. Brooks, Jonathan J. Brooks, Jennifer L. Gonzales, Anna K. Gonzales, Kara M. Gonzales, Jessica Gonzales and Nicholas Gonzales: A 1/8 interest in all remaining funds left up to \$5,000.00 each.	NEEDS/PROBLEMS/COMMENTS:	
			<u>Continued from 7-5-12.</u>	
Cont. from 070512			<u>Minute Order 7-5-12:</u> Counsel requests a continuance.	
<input type="checkbox"/>	Aff.Sub.Wit.		<u>As of 8-10-12, nothing further has been filed.</u> <u>The following issues remain:</u>	
<input checked="" type="checkbox"/>	Verified		1. This petition is titled as an Account, but Petitioner states waivers of accounting will be filed by all beneficiaries. Need waivers.	
<input checked="" type="checkbox"/>	Inventory		2. Need clarification: Petitioner refers to Assignments of Rights by certain unspecified beneficiaries at #30; however, no assignments are provided and the proposed distribution does not appear to indicate any assignment.	
<input checked="" type="checkbox"/>	PTC		3. Decedent's holographic will directs the house be sold and proceeds divided among her four children. It then states that she wants \$5,000 to go to each of her listed grandchildren (8 total).	
<input checked="" type="checkbox"/>	Not.Cred.		<u>The original petition</u> at #8 listed two additional minor grandchildren that appear to have been born after the will was written.	
<input checked="" type="checkbox"/>	Notice of Hrg		<u>This petition</u> at #28 states the <i>intestate</i> heirs are listed, which infers that the list would include the two additional minor grandchildren; however, they are not included.	
<input checked="" type="checkbox"/>	Aff.Mail		W	<u>This petition</u> then requests distribution of the house in undivided interests, and division of the remaining cash among only the grandchildren listed in the will (all adults). The Court may require clarification as to omission of the two minor grandchildren.
	Aff.Pub.		4. Need consents to distribution of the real property in undivided interests by: - Rosemarie Ann Knight - Gregory Gonzales - Paul Dwayne Gonzales	
	Sp.Ntc.		5. Need order.	
	Pers.Serv.		Reviewed by: skc	
<input checked="" type="checkbox"/>	Conf. Screen		Reviewed on: 8-10-12	
<input checked="" type="checkbox"/>	Letters	10-17-11	Updates:	
	Duties/Supp		Recommendation:	
	Objections		File 5 - Gonzales	
	Video Receipt			
	CI Report			
<input checked="" type="checkbox"/>	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
<input checked="" type="checkbox"/>	FTB Notice			

(1) Waiver of Accounting and Report of Administrator and (2) Petition for Its Settlement, Waiver of Administrator's Commissions for Allowance of Attorney's Fees for Ordinary Services, for Costs Reimbursement and for (3) Final Distribution [Prob. C. 6402(a), 10810, 10811, 10951, 10954 & 11640]

DOD: 12/19/11		PHILIP HAUSMANN , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	I & A - \$231,154.94	
<input checked="" type="checkbox"/>	Verified	Administrator - waives	
<input checked="" type="checkbox"/>	Inventory	Attorney (statutory) - \$7,623.00	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Costs - \$627.00 (filing fee, probate referee)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Closing - \$1,000.00	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Distribution, pursuant to intestate succession and assignments of interests, is to:	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	2/29/12	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	Philip A. Hausmann - \$1,755.65 and 2006 Nissan Maxima	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202	Gregory A. Hausmann - \$25,149.29 and real property located in Clovis.	
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 8/13/12
			Updates:
			Recommendation: SUBMITTED
			File 6 - Hausmann

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 04/08/10		WALTER CHACON, NESTOR CHACON, MARTIN CHACON, sons, and ROSEMARY CHACON, surviving spouse of post-deceased son Michael Chacon, and MICHELLE MORENO, MELISSA CHACON, MARYLOU CHACON, and SUSANNA CHACON, daughters of post-deceased son Michael Chacon, are Petitioners. 40 days since DOD No other proceedings I &A - \$110,000.00 Decedent died intestate Petitioner request court determination that decedent's 100% interest in real property located at 115 Gettysburg, Clovis, CA pass to them pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS: 1. The Petition states that the decedent was survived by her 4 sons (her successors). Pursuant to Probate Code § 13151 a Petition to determine succession may be brought by the successor(s) of a decedent. The Petition states that the decedent's son Michael Chacon post deceased the decedent. Therefore this type of petition must be brought by the decedents 3 living sons and the personal representative of the estate of Michael Chacon. Note: Rosemary Chacon, Michelle Moreno, Melissa Chacon, Marylou Chacon, and Susanna Chacon are the successors to Michael Chacon and not successors to the decedent. Therefore, they do not appear to be appropriate petitioners in this type of summary proceeding. Further, the successors of Michael Chacon have attached a copy of an Affidavit Re Real Property of Small Value (with regard to the estate of Michael Chacon) within this summary proceeding concerning the estate of the decedent. Any proceedings dealing with the estate of Michael Chacon must be handled in a separate proceeding.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: JF Reviewed on: 08/14/12 Updates: Recommendation: File 7 - Grandeer				

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 07/01/12		<p>DEREK SIMMROSS and BRIGITTE GREEN, son and daughter/named Co-Executors without bond, are Petitioners.</p> <p>Petitioner Derek Simmross is a resident of Sweden.</p> <p>Full IAEA – NEED (Not published for)</p> <p>Will dated 06/13/96</p> <p>Residence: Fresno Publication: The Business Journal</p> <p><u>Estimated Value of the Estate:</u> Personal property - \$200,000.00</p> <p>Probate Referee: STEVEN DIEBERT</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 09/19/12</u> Per request of Counsel</p> <ol style="list-style-type: none"> 1. Publication does not state that the Petition requests authority to administer the estate under IAEA. Need revised Publication. 2. Notice of Petition to Administer Estate is not marked at item 5 indicating that the Petitioner is requesting Full IAEA. 3. The Petition states that the decedent had a predeceased spouse. Pursuant to Local Rule 7.1.1D – If a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that persons date of death shall be included in the Petition. <p>Note: The court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rules of Court 7.201(b) and Probate Code 8571.</p>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail w/		
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: JF
Reviewed on: 08/14/12
Updates:
Recommendation:
File 8 - Simmross

**Petition for Probate of Non-Domiciliary Decedents Will and for Letters
Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 4/28/2009	DANA VAN HORN , surviving spouse/named executor without bond, is petitioner.		NEEDS/PROBLEMS/COMMENTS: Note: If the petition is granted, status hearings will be set as follows: 1. Friday, December 14, 2012 at 9:00 a.m. in Department 303 for the filing of the inventory and appraisal, and ; 2. Friday, October 13, 2013 for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from	Petitioner has been appointed as executor of the decedent's estate in Thurston County, Washington.		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.	Will dated: 11/10/2008 (admitted to Probate in Thurston County, Washington on 8/17/2010)		
<input type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/	Residence - Olympia, WA	
<input checked="" type="checkbox"/> Aff.Pub.		Publication - Fresno Bee	
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen	Estimated value of the estate:		
<input checked="" type="checkbox"/> Letters	Annual Income - \$ 13,000.00		
<input checked="" type="checkbox"/> Duties/Supp	Real property - \$375,000.00		
<input type="checkbox"/> Objections	Total - \$388,000.00		
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202	Probate Referee: Steven Diebert		
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: KT
			Reviewed on: 8/13/12
			Updates:
			Recommendation: SUBMITTED
			File 9 – Van Horn

DOD: 10/19/2010		CHARISSE NOEL FLEMING , granddaughter, and CURT ROBERT DAVIS , son, are petitioners. 40 days since DOD. No other proceedings. Will dated July 2, 2000 devises entire estate equally to Charisse Noel Fleming and Curt Robert Davis. I & A - \$100,000.00 Petitioners request Court determination that Decedent's 100% interest in real property pass to them in equal shares pursuant to decedent's will.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: KT
Reviewed on: 8/13/12
Updates:
Recommendation: SUBMITTED
File 10 - Davis

Petition for Final Distribution on Waiver of Accounting (and for Allowance of Statutory Commission)

DOD: 10-10-08		<p>SHERRY MEALER, Daughter and Administrator with full IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A: \$81,732.32 POH: \$45,732.32 (\$5,732.32 cash plus real property, misc. shop equipment, household furniture)</p> <p>Administrator: Waived</p> <p>Distribution pursuant to intestate succession:</p> <p>Sherry Mealer: Entire estate</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner does not state whether notice of administration was given to the Franchise Tax Board pursuant to Probate Code §9202(c). Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing on Dowling Aaron, Incorporated pursuant to Request for Special Notice filed 1-31-11 (Probate Code §1252). Petitioner was previously represented by Dowling Aaron Incorporated (formerly DAK). On 6-21-12, the Court approved fees to the law firm in the amount of \$4,205.03. Need proof of payment prior to distribution. Petitioner states Property On Hand (POH) includes the same assets, including the same amount of cash, as was listed on the I&A as of the decedent's date of death (10-10-08). Need statement of <u>actual</u> property on hand at this time pursuant to Cal. Rules of Court 7.550. <p>(Examiner notes that Administrator was appointed almost four years ago on 12-9-08. One creditor's claim was paid, attorney fees were granted, and the house probably required upkeep. It is unlikely that the POH is the same as originally inventoried.)</p> <ol style="list-style-type: none"> Petitioner lists the value of the residence at a different amount than previously inventoried. The value is a carry value and should remain the same. 	
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/o
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice	X		

Reviewed by: skc
Reviewed on: 8-13-12
Updates:
Recommendation:
File 12 - Easley

DOD: 10/23/2011		ANNA F. WILLIAMS , daughter, was appointed Executor without bond on 4/16/12.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and appraisal.
Cont. from		Minute order dated 4/16/12 set this status hearing for the filing of the inventory and appraisal. Anna F. Williams was present in court when this status hearing was set.	
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 8/13/12	
		Updates:	
		Recommendation:	
		File 13 - Turner	

Atty Sandoval, Jose A. (pro per Petitioner/father)

Atty Montalvo, Rosario (pro per Petitioner/mother)

Petition for Appointment of Conservator of the Person (Prob. C. 1510)

Age: 18 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>ROSARIO MONTALVO and JOSE A. SANDOVAL, parents, are petitioners and request appointment as Conservators of the Person with Medical Consent powers.</p> <p>Declaration of Anna Nguyen, M.D., 6/7/12.</p> <p>Voting Rights Affected.</p> <p>Petitioners state the proposed conservatee has a diagnosis of Down's Syndrome and developmental delay. He has a cognitive ability of a seven year old and is completely non-verbal. The proposed conservatee requires 24 hour care.</p> <p>Court Investigator Jennifer Daniel's Report filed on 7/27/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 7/13/12.</p> <p>Voting Rights affected need Minute Order.</p>	
Cont. from 073012				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
			<p>Reviewed by: KT</p> <p>Reviewed on: 8/13/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 - Sandoval</p>	

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 4-30-11		VALERIE EVERARD and HEATHER EVERARD ROSALES , Daughters, are Petitioners. 40 days since DOD No other proceedings I&A: \$80,000.00 Decedent died intestate Petitioners request Court determination that Decedent's fee title ownership interest passes to Petitioners in fee simple.	NEEDS/PROBLEMS/COMMENTS: 1. Need date of death of deceased spouse per Local Rule 7.1.1.D. 2. Need clarification: The petition is unclear at #9 regarding whether Decedent had any predeceased children (<i>both boxes checked</i>). 3. Need clarification: Petitioners do not specify Decedent's interest in the property (<i>i.e., a 100% separate property interest</i>). 4. Need clarification: Petitioners do not specify the interest they are each claiming (<i>i.e., a 50% interest each</i>).	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/o
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc Reviewed on: 8-13-12 Updates: Recommendation: File 15 - Everard	

Age: 3 ½		GENERAL HEARING 10-2-12		NEEDS/PROBLEMS/COMMENTS:	
		DALE and CARMEN MARTINEZ , Paternal Grandparents, are Petitioners.		<u>Continued to 8-30-12</u> per request by Attorney Neumann	
		Father: MATTHEW MARTINEZ - Deceased		1. Need Notice of Hearing.	
Aff.Sub.Wit.		Mother: APRIL CARPENTER		2. Need proof of personal service of Notice of Hearing at least five (5) Court days prior to the hearing per Probate Code §2250(e) on: - April Carpenter (Mother)	
✓	Verified	Maternal Grandfather: Unknown		3. The Court may require further information with reference to Probate Code §1513(c). (If there are allegations that a parent is unfit, an additional report will be required with reference to potential dependencies for the hearing on general guardianship in October.)	
	Inventory	Maternal Grandmother: Janet Carpenter			
	PTC	Petitioners state Noah resided with them from birth until 7-29-12. Both parents resided with Petitioners until September 2009, when the father was deployed to Iraq. In October 2009, the mother left Noah with Petitioners and executed a medical authorization. The father was discharged in August 2010, but died in June 2011 as a result of an injury while on deployment. Noah continued to reside with Petitioners following the father's death and was enrolled in preschool in December 2011.			
	Not.Cred.	On 7-29-12, the mother picked Noah up for a visit and later told Petitioners that she did not intend to return him. On 7-31-12, Petitioners inquired at the preschool to ensure that the mother was taking him, but she was not. Petitioners went to the mother's residence to inquire about Noah, but the mother threatened to call the cops.			
	Notice of Hrg	Petitioners state that for Noah's entire life, the mother would come and go and was never a permanent and stable person for Noah to rely on. She visited once a week as convenient for her, all facilitated by Petitioners. She has only attended one of Noah's baseball games and has made no effort to be a part of the extracurricular activities that he enjoys.			
	Aff.Mail	Petitioners state it is clear that Noah should continue to reside with them on a temporary basis until an investigation can be completed as this is the only home he has resided since birth. It would be in Noah's best interest to continue to reside with Petitioners so that the status quo may be maintained and he does not suffer detriment by further loss and disruption in his life.			
	Aff.Pub.	Points and Authorities state Petitioners are Noah's <i>de facto</i> parents pursuant to Family Code §3041 and refer to Probate Code §§ 2250 and 15100 regarding good cause.			
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
✓	Letters			Reviewed by: skc	
✓	Duties/Supp			Reviewed on: 8-13-12	
	Objections			Updates:	
	Video Receipt			Recommendation:	
	CI Report			File 16 - Martinez	
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

Petition for Appointment of Temporary Conservatorship of the Person and Estate

Age: 51		GENERAL HEARING: 9-17-12 AMELIA FRANCO , Spouse, CECILIA FRANCO , Daughter, and ESQUIO FRANCO , Son, are Petitioners and request appointment as Temporary Co-Conservators of the Person and Estate with authority to move the proposed Conservatee residence. Estimated Value of Estate: Personal property: \$7,000.00 Petitioners state they would like to move Mr. Franco to a facility that will provide better care to ensure progress. The general petition states Mr. Franco suffered a traumatic head/brain injury and stroke. He cannot speak or support his body. Minimal movement in limbs. He cannot communicate his needs or desires. Court Investigator Jennifer Young filed a report on 8-14-12.	NEEDS/PROBLEMS/COMMENTS:	
DOB: 1-19-61			<u>Court Investigator advised rights on 8-13-12</u>	
			1. Need Notice of Hearing.	
			2. Need proof of service of Notice of Hearing at least five (5) court days prior to the hearing per Probate Code §2250(e) on: - Mario Franco (son) - Brenda Franco (daughter)	
			3. The Court may require clarification regarding the request for temporary conservatorship of the estate. Examiner notes that the temporary petition indicates \$7,000.00 estate value. The general petition appears to request estate powers, but the estimated value is blank. Pursuant to Local Rule 7.15.4, if the only asset or income is public assistance benefit, the court does not require conservatorship of the estate.	
Aff.Sub.Wit.			4. If temporary conservatorship of the estate is necessary, bond including cost of recovery is required pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207. Based on the figure provided, Examiner calculates bond at \$7,700.00.	
✓	Verified		5. Need clarification: The Petition appears to request appointment of all three Petitioners as Co-Conservators of the Person and Estate; however, the proposed Order indicates Amelia and Cecilia as Co-Conservators of the Person and Esiquio as Conservator of the Estate.	
	Inventory		6. According to the Court Investigator's report, Petitioners are considering moving Mr. Franco to an out-of-state facility. The Court may require amended petition or further notice pursuant to Probate Code §2352(c). Also, if moved, notice of placement is required pursuant to Judicial Council Form GC-080 (Post-Move Notice of Change of Residence).	
	PTC			
	Not.Cred.			
	Notice of Hrg		X	
	Aff.Mail		X	
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 8-13-12		
		Updates:		
		Recommendation:		
		File 17 - Franco		